

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of)
Manfred Blumberg, et al.) Examiner: Charles R. Kasenge
)
Title: NEUTRAL DATA COMPUTER) Group Art Unit: 2121
CONTROL SYSTEM FOR A)
MACHINE TOOL USED TO)
PRODUCE WORKPIECES WITH)
A THREADED SURFACE AND)
ASSOCIATED MACHINE TOOL) Confirmation No.: 8923
)
Serial No.: 10/575,532) Our Docket No.: 7701-0001WOUS
)
Filed: April 12, 2006)

Hartford, Connecticut, September 19, 2008

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Dear SIR:

Pursuant to 37 CFR 1.26, Applicants' attorneys respectfully request a refund of \$750 to our Deposit Account 13-0235 for excess claims.

In response to the non-final Office Action issued in the above-identified application March 31, 2008, Applicants filed an Amendment and Response on July 23, 2008. As amended, the application had three (3) independent claims and forty-one (41) total claims, namely claims 51-91.

Prior to the July 23 Amendment, the application had three (3) independent claims and thirty-five (35) total claims, namely claims 1-33, 42 and 43 which were the same claims (with same amendments) in a Preliminary Amendment filed April 12, 2006. Apparently due to an administrative error in the PTO, the Preliminary Amendment was overlooked, claims 1-33, 42 and

43 were cancelled, and claims 34-41 and 44-50 were examined. In the Amendment of May 30, 2008, Applicant pointed out the administrative error and re-asserted claims 1-33, 42, and 43 presented in the Preliminary Amendment. The Notice of Non-Compliant Amendment on June 23, 2008 required re-submission of the claims with new numbering since the PTO had already cancelled claims 1-23, 42 and 43, and they could not be re-instated.

Claims 51-85 submitted on July 23, 2008 correspond with claims 1-33, 42 and 43 (35 total claims) in the Preliminary Amendment of April 12, 2006. Six (6) claims 86-91 were added on July 23, 2008, and are the only (6) claims for which an excess fee of \$300 is due.

On receipt of the July 23 Amendment, the Patent Office billed an excess claims fee of \$1050 to Deposit Account 13-0235. This fee properly includes \$300 for the six (6) claims added in excess of the earlier thirty-five (35) claims, but also improperly includes the \$750 for the fifteen (15) excess claims filed in the Preliminary Amendment of April 12, 2006.

Accordingly, Applicants' attorneys respectfully request that the overcharge of \$750 be refunded to the Deposit Account 13-0235.

Respectfully submitted,

By _____/John C. Linderman/
John C. Linderman
Registration No. 24,420
Attorney for Applicant(s)

Customer No. 35301
McCORMICK, PAULDING & HUBER LLP
CityPlace II, 185 Asylum Street
Hartford, CT 06103-3402
Tel: (860) 549-5290
Fax: (860) 527-0464